

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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IN RE: '318 PATENT INFRINGEMENT LITIGATION	)	C.A. No. 05-356 (KAJ)
	)	(consolidated)

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**DEFENDANT ALPHAPHARM PTY., LTD.'S JOINDER IN, AND  
ADOPTION OF, DEFENDANT MYLAN'S REPLY IN SUPPORT OF ITS  
RULE 12(C) MOTION FOR JUDGMENT ON THE PLEADINGS DISMISSING  
PLAINTIFFS' WILLFUL INFRINGEMENT CLAIMS OR, IN THE ALTERNATIVE,  
TO BIFURCATE AND STAY DISCOVERY ON SUCH CLAIMS**

On December 28, 2005, Defendant Alphapharm Pty., Ltd., by and through its undersigned counsel, moved this Court pursuant to Fed. R. Civ. P. 12(c) for an order dismissing Plaintiffs' willful infringement claims or, in the alternative, to bifurcate and stay discovery on such claims. (D.I. 66). By its motion, Defendant Alphapharm Pty., Ltd. joined in Defendant Mylan's Rule 12(c) Motion for Judgment on the Pleadings Dismissing Plaintiffs' Willful Infringement Claim or, in the Alternative, to Bifurcate and Stay Discovery on Such Claim (D.I. 57) and incorporated by reference Defendant Mylan's Memorandum (D.I. 58) and Compendium (D.I. 59) filed in support thereof. At this time, Defendant Alphapharm Pty., Ltd. joins in and adopts fully Defendant Mylan's Reply In Support Of Its Rule 12(c) Motion For Judgment On The Pleadings Dismissing Plaintiffs' Willful Infringement Claims Or, In The Alternative, To Bifurcate And Stay Discovery On Such Claims, which was filed with the Court on January 24, 2006 (the "Reply"). (D.I. 85). The issues and arguments set forth in the Reply are identical for both Defendant Mylan and Defendant Alphapharm Pty., Ltd.

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Dated: January 24, 2006

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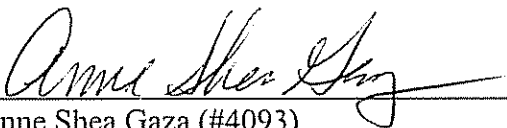
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**CERTIFICATE OF SERVICE**

I hereby certify that on January 24, 2006, **Defendant Alphapharm Pty., Ltd.'s Rule 12(c) Motion And Joinder In Motion For Judgment On The Pleadings Dismissing Plaintiffs' Willful Infringement Claim Or, In The Alternative, To Bifurcate And Stay Discovery On Such Claims** was served upon all parties on the attached service list in the manner indicated on said service list.

  
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